

REMARKS/ARGUMENTS

In the Office action of June 14, 2004, the examiner rejected claims 1-2, 7-8 and 10-11 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,269,617 to Shibuya et al., and rejected claims 4-6 and 12 under 35 U.S.C. §103(a).

The examiner objected to Claim 3 as dependent upon a rejected base claim but the examiner stated that it would be allowed if rewritten in independent form. By the present amendment, Applicants have added a new claim 14, which corresponds to claim 3 including limitations of claim 1.

Applicants have amended claim 1 to further clarify the subject matter of the invention. Applicants also added new claims 15-20 to define a glass panel of the present invention. In making these revisions care has been taken to ensure that no new matter has been introduced.

Applicant appreciates the time and consideration provided by Examiner in reviewing this application, however, respectfully traverses the rejection of claims at least for the following reasons.

Claim Rejections -35 U.S.C. §102(b)

The examiner rejected claims 1-2, 7-8 and 10-11 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,269,617 to Shibuya et al.

Anticipation under 35 U.S.C. §102 requires that each and every claimed feature be disclosed by a single prior art reference.

The present invention is directed to process of manufacturing glass panels comprising tempered glass sheets, wherein the tempering is maintained in the sheets (i.e., annealing of the sheets is avoided) and yet an hermetic seal between the solder glass bands on each sheet is formed. The tempered glass panels are used in windows, doors, automobiles, etc. where the glass may be inadvertently shattered. Tempered glass prevents massive damage to the human user in case of glass shattering .

In contrast, Shibuya described a process of manufacture of a *liquid crystal container for a crystal display* element. Shibuya does not disclose tempering the glass by applying the heating to the sheets of the container. Also, as correctly stated by the examiner, Shibuya does not disclose or suggest that annealing of the glass sheets is avoided while heating the panel to the second temperature. It is understandable that Shibuya would not be concerned with the formation of a glass panel comprising tempered glass sheets as it is not an issue for a liquid crystal display element. Also, Applicants respectfully submit that a person skilled in the field of glass paneling for

windows, doors, etc, would not in any way consider the Shibuya's process of manufacturing liquid crystal display elements as relevant to the method of the present invention. Shibuya clearly teaches away from the present invention.

In order to clarify the subject matter of the present application, Applicants amended Claim 1. Step 2 of claim 1 is amended to indicate that each glass sheet is heated to a first temperature "to temper each sheet and to form a hermetic bond between the solder glass band" and a surface of each sheet. In other words, step 2 is a simultaneous sheet tempering and glass band bonding step. Support for this amendment is clearly found in the specification as filed, see in particular page 4 lines 23-35. Step 4 of claim 1 is amended to make it clear that heating the glass sheets to the second temperature (which is lower than the first temperature) causes the formation of "an hermetic seal between the two glass bands whilst substantially avoiding annealing of either glass sheet".

Shibuya did not disclose or suggest to form glass panels comprising tempered glass sheets with sealed confronting edges, wherein each glass sheet's tempering characteristics were maintained *after* formation of the hermetic seal around and between the glass sheets.

Accordingly, it is respectfully submitted that the independent claim 1, as amended, is novel and inventive over the cited prior art.

Claim Rejections - 35 U.S.C. § 103(a)

Examiner rejected claim 4 under 35 U.S.C. § 103(a) as unpatentable over Shibuya et al in view of USPN 5867238 to Miller et al., and USPN 4834509 to Gunjima et al. Claims 5-6 rejected under 35 U.S.C. § 103(a) as unpatentable over Shibuya et al in view of USPN 5535030 to Ogura et al. Claim 12 rejected under 35 U.S.C. § 103(a) as unpatentable over Shibuya et al in view of USPN 3886014 to Bayer.

Although Gunjima and Miller describe that a protective glass for a LCD may be made of a tempered glass, none of them alone or in combination with Shibuya's '617 discloses or suggests a glass panel made of two sealed sheets by first *simultaneously tempering* each sheet and *bonding* it to a marginal glass band to form a hermetic bond between the marginal solder glass band and the associated surface of each sheet, and then forming an hermetic seal between the two glass bands at a second, lower temperature, while substantially avoiding annealing of either glass sheet.

Since none of the cited references alone or in combination teach a method of manufacturing a glass panel of the present invention, Applicants respectfully submit that all the pending claims as previously presented and currently amended and added, are novel and allowable

Application No. 10/010,435
Amendment dated October 28, 2004
Reply to Office Action of November 20, 2003

Attorney Docket No. 72523

in view of the cited prior art. The application is now in condition for allowance, which allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Kenneth H. Samples
Kenneth H. Samples
Registration No. 25,747

Dated: October 28, 2004

FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007